

8/645/0070
cc: Leslie 1006



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Salt Lake Field Office
2370 South 2300 West
Salt Lake City, Utah 84119
ph: (801) 977-4300; Fax: (801) 977-4397
www.blm.gov/ut



IN REPLY REFER TO:
3600/U-77848 (UTW011)

Certified Mail Number – 7008 3230 0002 7182 0025
Return Receipt Requested

Mr. Todd Seiverling
Interpace Holdings, LLC
PO Box 12118
Ogden, Utah 84412

RECEIVED OCT 15 2009

OCT 19 2009

DIV. OF OIL, GAS & MINING

Dear Mr. Seiverling:

This office recently received additional information related to your request to purchase mineral material (common clay) from public lands in the SE¼ of Section 26, T. 8 S., R. 5 W., in Tooele County, Utah. The project area in your proposal includes an access road, material removal areas, stockpile areas, and staging areas. The combined area you have proposed to disturb is less than 5 acres.

This letter is to notify you that in addition to the cost of the mineral materials sold, the Bureau of Land Management (BLM) is required to charge applicants for the costs of processing a mineral material sale.

Processing Fee Category

The Independent Offices Appropriation Act of 1952 (IOAA), 31 U.S.C. 9701 authorizes federal agencies to charge processing costs. The IOAA also states that these charges should pay for the agency services, as much as possible. BLM also has specific authority to charge fees for processing applications and other documents relating to public lands under Section 304 of the Federal Land Policy and Management Act of 1976 (FLPMA) 43 U.S.C. 1734. The IOAA and Section 304 of FLPMA authorize BLM to charge applicants for the cost of processing documents by issuing regulations. The final cost recovery rule, which was published in the Federal Register on October 7, 2005 (70 FR 58854), provides for fixed fees as well as case-by-case fees. A negotiated mineral material sale has been designated as a case-by-case basis as per 43 CFR 3000.11(a).

BLM estimates a cost of \$1,510.00 to complete the processing for your proposal to purchase mineral material. Therefore, a processing fee in the amount of \$1,510.00 must be provided to the Salt Lake Field Office before processing can begin. You have thirty (30) days from the receipt of this letter to agree to the estimated costs, provide comments concerning the cost estimate or to cancel your request for the mineral material contract. If you agree with the fee, sign and date the enclosed form and return it along with a check for the estimated amount to the Salt Lake Field Office. The check should be made out to the Bureau of Land Management – Department of the Interior (BLM-DOI). If you wish to provide comments on the estimated fee, you have 30 days from the date of receipt of this letter to make such comments.

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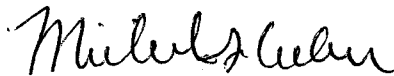
The BLM will review your comments and make any adjustments as necessary. After the 30 day comment period is over, BLM will submit a written final fee estimate accompanied by a bill which will be mailed to you. After you receive the bill, your payment is due within 30 days. BLM will bill for the entire amount. If in processing the application we encounter higher costs than anticipated we will provide a revised estimate, but processing will not stop. If the bill is less than estimated then BLM will refund any unused funds.

In addition, BLM requests that you flag on the ground, the proposed project boundaries including the access road, material removal areas, stockpile areas, and staging areas. After the site is flagged, we will schedule an on-site visit so you can point out the features of your proposed mining activities.

As previously stated, BLM will only allow a small material stockpile at the site during the 3-4 week mining period each year described in your mining plan. At the end of every 3-4 week mining period each year you will be required to remove all excavated material, secure the site, and re-contour the pit. This is in addition to the final reclamation that will be required at the conclusion of your contract.

If you have any questions, or require additional information, please contact Stephen Allen of my staff at (801) 977-4360.

Sincerely,



Michael G. Nelson
Assistant Field Manager
Nonrenewable Resources

cc: Paul Baker, Utah Division of Oil, Gas and Mining

INITIAL
FEE ESTIMATE FOR CASE – BY – CASE PROCESSING
Energy & Mineral Resources Cost Recovery

Application Serial Number: U-77848, Mineral Material Sale
Applicant: Interpace Holdings, LLC
Address: PO Box 12118
Ogden, Utah 84412

Agent: Todd Seiverling
Address Same

Application For: Mineral Material Sale

Location: T. 8 S., R. 5 W., Section 26, SE¼

Other pertinent information

Estimated Processing Requirements:

Is NEPA analysis required? No ☐ Yes ☒ Type EIS ☐ EA ☐ Other CX

If "yes" will BLM perform NEPA analysis? Yes ☒ No ☐

If "no" name of 3rd party contractor: N/A

Brief description of Processing Step	Estimated Processing Cost
1. <u>NEPA Review</u>	<u>\$1,510.00</u>

Total Estimated Fee: \$1,510.00

Approved by: 
BLM Authorized Officer

Date: 10-14-09

Approved By: _____
Applicant

Date: _____